

From: Schweiss, Jon
Sent: Wednesday, May 01, 2013 1:23 PM
To: Rodriguez, Michel
Cc: Rochlin, Kevin
Subject: RE: FOIA Requests for RA Office
Attachments: 2012-08-06 Summary of Phase 2 for Interagency Agt with Independent Review....docx

Categories: Provided for LEPIC 1 to 11-19 2013

Hi, Michel – Attached is the document requested in the FOIA. I would point out that it was prepared and sent to EPA (on 8/6/12) by Jill Grant, contractor to the Shoshone-Bannock Tribes.

As we discussed, I suggest you touch base with Kevin Rochlin-ECL (-2106) to determine the FOIA status of this document and whether it was already furnished to the same requester.

BTW – Contrary to the statement in the FOIA request, I could not locate any email related to this document from me dated 7/18/12.

Thx,
Jon

Jon Schweiss | Senior Advisor
Office of the Regional Administrator
U.S. Environmental Protection Agency | Region 10
O: 206.221.4896 | C: 206.553.1690

From: Rodriguez, Michel
Sent: Monday, April 29, 2013 11:18 AM
To: Schweiss, Jon
Subject: FOIA Requests for RA Office

Hello Jon,

We are behind on these FOIA requests, attach you will find several different dates with the same request. Please check your lotus notes and see if you have anything that pertains to these request. Also on the 5th document, they specifically request a copy of an email dated 7/18/12 that came from you. Please read the description request and let me know.

Thank you,
Michel

Independent Review Phase 2: Further Evaluation of ETT

A brief outline of a possible second phase of the independent review is provided below for two reasons: to inform the reviewing entity that the Phase 1 review may serve as the basis for further study and, for planning purposes, to indicate what that study may include.

Decision to Proceed with Phase 2 – Phase 1 of the independent review (the technology review) may be followed by a Phase 2, depending on the outcome of Phase 1. If Phase 1 identifies either promising excavation and treatment technology(ies) (“ETT”) that were inadequately examined in the Supplemental RI/FS for the FMC OU or new information related to previously profiled ETT, such as phased treatments using multiple technologies or technologies scaled to smaller areas, that supports the need for further evaluation of those ETT, then the independent review will move to Phase 2. Phase 2 would be performed to enable EPA to undertake a complete evaluation of possible ETT, according to the requirements of CERCLA and the NCP.

Scope – Phase 2 would frame the scope and design of a future study employing the ETT jointly selected by the Tribes and EPA at the conclusion of Phase 1, as discussed above. It could include a preliminary design analysis for a possible ETT, outlining major design features and information necessary for implementation of the ETT, or a design for additional studies and evaluations, such as a treatability study, to determine the implementability and short- and long-term effectiveness of one or more ETT. EPA does not yet have funding identified for Phase 2, and the precise details of Phase 2 are yet to be worked out.

Product – The review entity will prepare a draft report reflecting content consistent with the “Scope” described above. The draft report also will include detailed descriptions of the experts, methodologies, and reference materials involved in the review. The Tribes and EPA will review the draft and may request clarifications of its contents, but will not be allowed to insert new information or other content into the draft report. The review entity will consider these requests, revise the draft report in light of these requests as the entity deems appropriate, and issue a final report.